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Attorneys for Federal Defendants

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAI`I

) CIVIL NO.04-00502 DAE BMK
ILIO'ULAOKALANI COALITION, a)
Hawaii, nonprofit corporation;)
NA'IMI PONO, a Hawaii)
unincorporated association; and) NOTICE OF RECORD OF DECISION;
KIPUKA, a Hawaii unincorporated) and CERTIFICATE OF SERVICE
association,)
)
Plaintiffs,)
)
v.)
)
ROBERT M. GATES, Secretary of)
United States Department of)
Defense; and PETE GEREN,)
Secretary of the United States)
Department of the Army,)
)
Defendants.)
)

NOTICE OF RECORD OF DECISION

In its Order Setting Interim Injunction dated December 29, 2006, this Court instructed that the interim injunction "will remain in place until either Defendants have complied with the National Environmental Policy Act, or the parties return to this Court with changed circumstances, whichever occurs sooner."

Docket No. 168 at 2.

Through this notice, Defendants ROBERT M. GATES, Secretary of United States Department of Defense and PETE GEREN, Secretary of the United States Department of the Army, hereby notify the Court and Plaintiffs that the Army has complied with the National Environmental Policy Act ("NEPA") in this matter. On July 20, 2007, the Army released a draft environmental impact statement ("DEIS") for public review. In its DEIS, the Army examined alternative Army installations for the permanent stationing of the 2/25th Stryker Brigade Combat Team. After consideration of public comments on the DEIS and multiple public meetings held in Hawaii, Alaska, and Colorado, the Army issued a final environmental impact statement ("FEIS") on February 15, 2008. After consideration of its environmental impact statement and public comments, the Department of the Army signed a Record of Decision for the permanent stationing of the 2/25th Stryker Brigade Combat Team on April 11, 2008. A copy of the signed Record of Decision is attached as Exhibit 1. As explained in the Record of Decision, Hawaii was selected as the location to

permanently station this unit. This decision will be formally announced via publication of a Notice of Availability ("NOA") in the Federal Register on or about April 18, 2008. Pursuant to 32 C.F.R. 651.14(b)(3)(viii), no actions in furtherance of this decision will occur prior to publication of the NOA in the Federal Register.

Respectfully submitted this 15th day of April, 2008,

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By /s/Barry Weiner
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

ILIO'ULAOKALANI COALITION, a) CIVIL NO.04-00502 DAE BMK
Hawaii, nonprofit corporation;)
NA'IMI PONO, a Hawaii)
unincorporated association; and) CERTIFICATE OF SERVICE
KIPUKA, a Hawaii unincorporated)
association,)
Plaintiffs,)
v.)
ROBERT M. GATES, Secretary of)
United States Department of)
Defense; and FRANCIS J. HARVEY,)
Secretary of the United States)
Department of the Army,)
Defendants.)

)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on the date and by the method of service noted below, a true and correct copy of the Defendants' Notice of Record of Decision dated April 15, 2008 was served electronically on the following at his last known address:

David Henkin dhenkin@earthjustice.org

Isaac H. Moriwake imoriwake@earthjustice.org

Attorney for Plaintiffs

DATED: April 15, 2008, at Washington, D.C.

/s/ Barry A. Weiner
Barry A. Weiner
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